### U.S. Department of the Interior Bureau of Land Management

### **Environmental Assessment**

DOI-BLM-NV-S010-2011-0030-EA

March 1, 2011

Right-of-Way for Water Pipeline Expansion and Short Term Right-of-Way.

### **APPLICANT**

**Moapa Valley Water District** 

#### **COOPERATING AGENCY**

**Environmental Protection Agency** 

75 Hawthorne Street

San Francisco, California 94105

415-972-3551

### **PREPARING OFFICE**

U.S. Department of the Interior Bureau of Land Management Las Vegas Field Office 4701 N. Torrey Pines Drive Las Vegas, Nevada 89130



# Environmental Assessment: DOI-BLM-NV-S010-2011-0030-EA

March 1, 2011

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### **Chapter 1. Introduction**

### 1.1. Identifying Information:

Moapa Valley Water District Pipeline Expansion

### 1.1.1. Title, EA number, and type of project:

Title: Moapa Valley Water District Pipeline Expansion

EA Number: DOI-BLM-NV-S010-2011-0030-EA

Type: Right-of-Way and Short Term Right-of Way

### 1.1.2. Location of Proposed Action:

LEGAL DESCRIPTION:

Mount Diablo Meridian, Nevada, T. 14 S., R., 65 E., section 7, SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, section 8, NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>.

### 1.1.3. Name and Location of Preparing Office:

Lead Office - Bureau of Land Management, Southern Nevada District Office, Las Vegas Field Office, Las Vegas, Nevada 89130;

Office Number: NVS00056

### 1.1.4. Identify the subject function code, lease, serial, or case file number:

N-50866/B/ and N-50866-01

### 1.1.5. Applicant Name:

Moapa Valley Water District

### 1.2. Purpose and Need for Action:

To respond to a Federal Land Policy Management Act (FLPMA) request for a rights-of-way across BLM administered land. To provide for current and future customer needs in the Moapa Valley by upgrading the current water transmission line.

### 1.3. Scoping, Public Involvement and Issues:

This proposal has been reviewed by Bureau of Land Management resource team members. Their comments and evaluations are included in this environmental assessment.

### **Chapter 2. Proposed Action and Alternatives**

### 2.1. Description of the Proposed Action:

Moapa Valley Water District (the District) has a well and existing water transmission pipeline (N-50866) in Arrow Canyon. The District proposes to expand the current water transmission system. The current pipeline is 14 inches in diameter with a 20 feet wide by 2,983 feet long right-of-way (ROW) grant (1.369 acres). The District proposes to install a 24 inch pipeline adjacent to the existing pipeline and leave the 14 inch pipeline in place for emergency backup. The District has requested a 40 foot wide ROW during construction with an upgraded permanent ROW of 30 foot width. (30 feet by 2,983 length = 2.05 acres of permanent ROW). The short term ROW would be 10 feet by 2,983 feet and encompass 0.68 acres. The District has requested the short term ROW through February 2012. This would allow The District to meet current and future development and growth in the Moapa area.

Stipulations will be attached to the right-of-way grant which will include conservation and protection of the natural resources, cultural resources, T&E Species, and the environment.

The proposed ROW is in concurrence with the Las Vegas Resource Management Plan, Environmental Impact Statement (RMP) approved October 5, 1998.

A summary of this ROW proposal is available for review by the public on the internet under NEPA number: DOI-BLM-NV-S010–2011–0030–EA

The valid existing ROW holders have been sent notification letters regarding the proposed project and requested to send comments within 15 days. The notification letters were mailed on December 15, 2010. To date, BLM has not received any responses.

Soil Disturbance:

The entire ROW is previously disturbed.

The ROW would be granted for a period of 30 years.

### 2.2. Description of Other Alternatives Analyzed in Detail:

Under a "no action" alternative, BLM land would not be made land available for issuance of the ROW. No action would result in the applicant not being able to install the pipeline. Future needs for the Moapa Valley Water District would not be met.

### 2.3. Alternatives Considered but not Analyzed in Detail

Other alternatives were not analyzed since the proposal is to construct an upgraded pipeline adjacent to the existing pipeline. The proposed pipeline would be connected to the existing well and facilities upon completion. No other alternatives or route is available.

### 2.4. Conformance

The proposed action is in conformance with the Record of Decision for the approved Las Vegas Resource Management Plan and Final Environmental Impact Statement (RMP), decisions RW-1, and RW-1-h, approved October 5, 1998.

- RW-1 "Meet public demand and reduce impacts to sensitive resources by providing an orderly system of development."
- RW-1-h— "All public land within the planning area, except as stated in RW-1-c through RW-1-g, are available at the discretion of the agency for rights-of-way under the authority of the Federal Land Policy Management Act."

Rights-of-way are allowable on BLM administered lands per Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations (43 CFR 2800), at the discretion of the Secretary of the Interior.

### **Chapter 3. Affected Environment:**

#### SUPPLEMENTAL AUTHORITIES

The following table shows those resources considered for analysis. Those resources in the Present/May be Affected column, will be analyzed further in this column. Those resources in the Present/Not affected or Not Present column — along with the rationale — have been eliminated from further analysis.

Supplemental  Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Air Quality		X		Ensure dust control measures and/or permits are implemented in accordance with air quality compliance oversight agency requirements for the duration of the project(s).
Area of Critical Environmental Concern (ACEC)	X			The proposed project area is not within an ACEC or any critical desert tortoise habitat.
Cultural/ Historical	X			There are no issues given previous review and area is previously disturbed
Paleontological Resources	X			There are no issues.
Environmental Justice	X			No minority or low income group would be disproportionately impacted by health or environmental effects.
Farmlands Prime or Unique	X			The proposed action does not occur in prime or unique farmland.

Supplemental  Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Invasive Species / Noxious Weeds		X		Land disturbance activities and vehicle traffic present a high risk for weed introduction and spread. Arrow Canyon is an area within close proximity to wilderness and other high value areas, making weed mitigation and post activity treatment a priority. A weed plan must be in place before the signing of the EA to ensure that weed mitigation measures are understood and become part of the operating process. The use of herbicides is not guaranteed in desert tortoise habitat, and therefore the possible measures of control must be formulated and agreed to in the assessment process, to maintain the weed population at or below ambient levels.
Native American Religious Concerns	X			No Native American concerns were identified.
Floodplains	X			Project does not lies within a floodplain area. There will not be an impact to flood plain areas due to this project.
Riparian/ Wetlands	X			Not present.

Supplemental	Not	Present/Not Affected	Present/May be Affected	Rationale
Authority	Present			
Threatened, Endangered or Candidate Plant Species	X			Not present.
Threatened,	Λ			
Endangered or Candidate Animal Species.		X		See EA language in section 7 log number NV-052–11–034.
Migratory Birds			X	Addressed in EA.
Livestock Grazing	X			Not present. Project is not within a designated or active grazing allotment.
Lands Access		X		The location of this proposed action is at a key access point along a designated vehicle route which visitors utilize to access that portion of the Wilderness. Individuals will be able to continue to access that portion of the Wilderness via non-motorized means, however vehicle access to the Wilderness boundary via the designated route would be limited during construction. Following completion of construction, visitors will be able to access Arrow Canyon Wilderness via the designated motorized vehicle route as before.
				Construction activities will be scheduled in the summer when access demands are

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Supplemental  Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
				lower.
Waste - Hazardous/Solid	X			No hazmat issues. Include standard Hazmat stipulations.
Water Resources		X		Applicant should utilize best management practices to reduce potential increase of sedimentation and impacts to water quality of the Muddy River.
Wild & Scenic Rivers	X			Not present.
Wilderness (Study Area)		X		The proposed action is not located within or adjacent to designated Wilderness, WSAs or ISAs. No buffers are created around Wilderness. The proposed action is located approximately 1.5 miles from the boundary of Arrow Canyon Wilderness. The proposed action for construction is temporary in nature and related activities would not be seen or heard from most locations within the Wilderness. The location of this proposed action is at a key access point along a designated vehicle route which visitors utilize to access that portion of the

Supplemental  Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
				Wilderness. Individuals will be able to continue to access that portion of the Wilderness via non-motorized means, however vehicle access to the Wilderness boundary via the designated route would be limited during construction. Following completion of construction, visitors will be able to access Arrow Canyon Wilderness via the designated motorized vehicle route as before.
Forests and Rangelands (HFRA only)		X		Proposed action will not impact rangeland health due to the previous disturbance near this ROW. The proposed ROW is adjacent to a road in a previously disturbed area containing low densities of cactus and yucca. No impacts are expected.  Need to follow safety
Human Health and Safety	X			precautions during construction of ROW.

Other resources of the human environment that have been considered for this environmental assessment (EA) are listed in the table below. Elements that may be affected are further described in the EA. Rationale for those elements that would not be affected by the proposed action and alternative is listed in the table below.

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Grazing Management	X			Proposed action does not occur in an authorized grazing allotment.
Green House Gas Emissions (Climate Change)		X		Currently there are no emission limits for suspected Greenhouse Gas (GHG) emissions, and no technically defensible methodology for predicting potential climate changes from GHG emissions. However, there are, and will continue to be, several efforts to address GHG emissions from federal activities, including BLM authorized uses.
Geology/ Mineral Resources/ Energy Production	X			No mining claims or mining operations present. If excavation that produces mineral materials within the ROW must be used within the ROW or stockpiled on site for sale by the BLM. If mineral materials are to be stockpiled on site for sale, the disposal of the mineral materials should be analyzed in the EA. A contract will be necessary before the stockpiled mineral materials can be removed from the ROW.
Paleontological Resources	X			No issues.

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Socioeconomic Values	X			This project will not disproportionately impact social or economic values.
Soils	X			The proponent should utilize Best Management Practices (BMP's) to minimize erosion.
Hydrology		X		Applicant should consult wit the Army Corp of Engineers and Nevada Depart. of Environmental Protection to determine if any permits are required.
BLM Natural Areas	X			There are no such designations within the Field office.
Vegetation Excluding		X		There is no known occurancs of BLM sensitive species within the area. If there unknown occurancs of BLM sensitive species within the project site, due to the small amount of disturbance, potential impacts would be negligible.
Federally Listed Species				Note
				The proponent is required to restore the short term ROW (10 feet by 2,398 feet). Contact Fred Edwards, BLM Botanist for guidance.

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Other Resources	Not Present	Present/Not Affected	Present/May be Affected	
Visual Resources		X		The proposed action occurs in VRM Class II, which aims to retain the character of the existing landscape. Since the expanded line will be adjacent to the existing line, it is not expected to draw the attention of the casual observer. Even though there will be new disturbance, it will follow the existing line of the original right-of-way. All temporary disturbances must be restored to match the character of the undisturbed surrounding landscape.
Recreation	X			Not present
Fuels/Fire Management	X			Follow fire restriction orders as issued annually.
Fish and Wildlife, Excluding Federally Listed Species		X		Addressed in EA

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Areas with Wilderness Characteristics	X			The proposed action is located in an area which was inventoried for wilderness characteristics and completed the requirements per Section 603 of FLPMA. The following is a list of the Wilderness Inventory Unit (WIU) Number/Name, and determination:  NV-050-0215 (IPP-09)/Arrow Canyon Range The unit underwent an accelerated intensive inventory due to a special project. The results of that intensive inventory determined the unit did not meet the elements of wilderness characteristics and was released from further consideration.
Woodland Forestry		X		Cactus and yucca may be present within the project impact area. Cactus and yucca are considered government property and are regulated under the Nevada BLM forestry program. If unable to be avoided, all cactus and yucca within permanent and temporary impact areas must be salvaged and replanted in temporary impact

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
				areas or undisturbed
				portions of the project area. Unless otherwise
				directed by the BLM
				botanist, all replanted
				cactus and yucca
				must be watered and
				otherwise maintained
				for a period of one year.
				To ensure successful
				salvage and transplant,
				all cactus and yucca must be salvaged
				using a contractor (or
				other approved by the
				BLM botanist) with
				at least three years
				experience salvaging
				and maintaining plant
				materials in the Mojave
				or Sonoran Deserts.

### 3.1. Air Quality:

The United States Environmental Protection Agency (USEPA) changed the standard for ozone from .084 ppb to .075 ppb, in March of 2008. This new standard will require implementation of Volatile Organic Compound (VOC) reduction strategies. There are a number VOC reduction strategies, including but not limited to reformulated fuel, vapor recovery, double walled under ground storage tanks, increase mass transit and car pooling. It is not known at this time which of these reduction strategies would be implemented by Clark County Department of Air Quality and Environmental Management (CCDAQEM) as part of the State Implementation Plan (SIP) to show attainment for the ozone standard. BLM will work closely with Clark County to ensure BLM authorizations are included as part of the SIP for the affected area. It is anticipated that the USEPA will issue new non-attainment designations in 2010, so Clark County does not have any SIP or plan requirements under the revised NAAQS at this time.

### 3.2. Threatened, Endangered or Candidate Animal Species:

#### Threatened, Endangered Species

Threatened and endangered species are placed on a federal list by the U. S. Fish and Wildlife Service (USFWS) and receive protection under the Endangered Species Act of 1973, as amended.

The only T&E species known to occur in the vicinity of the project area is the threatened desert tortoise (*Gopherus agassizii*). In the Mojave region, the desert tortoise occurs primarily on flats and bajadas with soils ranging from sand to sandy-gravel characterized by scattered shrubs and abundant inter-shrub space for herbaceous plant growth. They are also found on rocky terrain and slopes. Historical survey data indicates that the area surrounding the project site is low density tortoise habitat, Area C.

### 3.3. Migratory Birds:

Under the Migratory Bird Treaty Act of 1918 (MBTA) and subsequent amendments (16 U.S.C. 703-711), it is unlawful to take, kill, or possess migratory birds. A list of the protected bird species can be found in 50 C.F.R. §10.13. The list of birds protected under this regulation is extensive and the project site has potential to support many of these species, including the BLM sensitive species the western burrowing owl (*Athene cunicularia*). Typically, the breeding season is when these species are most sensitive to disturbance, which generally occurs from March 15 through July 30.

#### 3.4. Wildlife:

The proposed project area supports and is adjacent to lands that support wildlife characteristic of the Mojave desert. Biological diversity varies according to topography, plant community, and proximity to water, soil type, and season. Several common species of reptiles that may be present in the vicinity of the proposed project site may include the western whip-tail (*Cnemidophorous tigris*), desert iguana (*Dipsosaurus dorsalis*), side-blotched lizard (*Uta stansburniana*), zebra-tail lizard (*Callisaurus draconoides*), desert tortoise (*Gopherus agassizii*), western shovel-nosed snake (*Chionactis occipitalis*) and garter snake (*Thamnophis* sp.). Common bird species that may be present in the vicinity of the proposed project site may include the rock wren (*Salpinctes obsoletus*), black-throated sparrow (*Amphispiza quinquestriata*), turkey vulture (*Cathartes aura*), common raven (*Corvus corax*), phainopepla (*Phainopepla nitens*), red-tailed hawk (*Buteo jamaicensis*), and western burrowing owl (*Athene cunicularia hypugea*). Common mammal species include the black-tailed hare (*Lepus californicus*), the desert cottontail (*Sylvilagus audubonii*), coyote (*Canis latrans*), badger (*Taxidea taxus*), kit fox (*Vulpes macrotis*) and many species of rodents.

### 3.5. BLM Sensitive Species:

BLM sensitive species are species that require special management consideration to avoid potential future listing under ESA and that have been identified in accordance with procedures set forth in BLM Manual 6840. The following sensitive species are known to potentially occur within the parcel:

#### Western burrowing owl (Athene cuniculari hypugaea)

The Western burrowing owl is a diurnal bird of prey specialized for grassland and shrubsteppe habitats in western North America. The owls are widely distributed throughout the Americas and can be found from central Alberta, Canada, to Tierra del Fuego in South America. Burrowing owl habitat typically consists of open, dry, treeless areas on plains, prairies, and desert floors. Burrowing owls most frequently use minimal burrows created by other animals such as prairie dogs (Cynomys spp.), ground squirrels (Spermoophilus spp.), coyotes (Canis latrans), or desert tortoise (Gopherus agassizii). The burrows are used for nesting, roosting, cover, and catching

prey. In recent decades, the range and species count have been declining primarily due to agricultural, industrial, and urban development that reduce burrow availability.

### **Chapter 4. Environmental Effects:**

### 4.1. Air Quality:

Simulations using the Argonne National Laboratory cumulative air modeling assessment indicated potential for future ozone concentrations from development of disposed lands to temporarily exceed the 0.084 ppb standard for select areas of Las Vegas Valley. The temporary exceedances were considered a "worst-case" scenario because the model was constructed using very conservative approaches and only included reformulated fuels as a VOC reduction strategy.

The Argonne National Laboratory air-quality model also assumed a disposal rate of approximately 4,000 acres per year based upon the rate of sales at the time and the assumption that the market could support this rate of disposal into the foreseeable future. In the past 2-3 years, deteriorating economic conditions have reduced demand for additional housing and land; the number of acres actually disposed has dropped considerably in the Las Vegas Valley from a high of 10, 000 acres [2003-2006] to a low of 100 acres [2007-2010]. The current downward trend in land sales is expected to continue for the next several years based on the present economic conditions.

The results projected in the ozone model still adequately address future expected levels of ozone in the Las Vegas Valley. Future ozone concentrations resulting from development of disposed lands probably will be less than predicted by the model because of the greatly reduced rate of land disposal, conservative modeling approaches and likely implementation of VOC reduction measures not considered in modeling scenarios. The current 0.075 ppb ozone standard is not likely to be exceeded based upon this rationale, but there is some uncertainty involved with modeling results. In order to address uncertainty, the following measures will be implemented. BLM will coordinate CCDAQEM to ensure federal actions are consistent with the future guidelines provided by CCDAQEM. BLM, in coordination with CCDAQEM, also will determine if additional modeling is needed in the future if disposal rates increase to initially assumed values and specific VOC reduction measures are identified and implemented under a revised SIP.

A dust control permit will be required for this proposed action. Ensure compliance with dust regulations for the duration of the proposed action.

### 4.2. Threatened, Endangered or Candidate Species

#### Threatened, Endangered Species

This project will disturb a total of 2.739 acres of tortoise habitat. Since tortoise sign has been found in the vicinity and undisturbed habitat exists in the area, there is potential for tortoises to wander into the project area. If not noticed and avoided during construction, desert tortoises could be either injured or killed (by crushing) or harassed (by being moved out of harm's way). Section 7 Consultation for this project is covered under the Las Vegas Valley Biological Opinion (1-5-95-F-251) contingent on compliance with the attached terms and conditions.

### 4.3. Migratory Birds:

Migratory birds, including the BLM sensitive species the western burrowing owl (*Athene cunicularia*), may be present on the project site. The proponent will be required to adhere to the following mitigation measures:

1) To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between March 15th - July 30th.

2) If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge.

### 4.4. Wildlife:

Wildlife species in the general area include small mammals, rodents, birds and reptiles. These species would be displaced as lands are disturbed within the project area. The primary direct impact of the proposed action on wildlife would be killing or maining of ground dwelling animals during construction and the loss of habitat. Additional impacts associated with the mortality from vehicular traffic may also be realized upon the completion of construction and subsequent use of the project area.

No extra mitigation should be required since most animals will leave the area on their own during construction activities, eliminating harm to wildlife.

### 4.5. Sensitive Species:

The direct impacts of the proposed action on the western burrowing owl would be loss of nesting habitat and forge, mortality and harassment of individual animals, and decrease in habitat value of adjacent remaining "wildland" areas due to increased human activity in the area. This species is protected by the Migratory Bird Treaty Act and the proponent will be required to adhere to the mitigation measures for migratory birds.

#### **Equation 4.1. Section 4.6 Cumulative Impacts:**

Cumulative impacts of the proposed action, there is a limited amount of new disturbance, the impacts would be minor in nature. There are no significant individual or cumulative effects anticipated as a result of either the proposed action or any alternative. Cumulative impacts associated with this action were previously analyzed in the Las Vegas Resource Management Plan and Final Environmental Impact Statement, Record of Decision approved October 5, 1998.

## Chapter 5. Tribes, Individuals, Organizations, or Agencies Consulted:

Table 5.1. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Brad Huza	Moapa Valley Water District	
Susan Rose	Moapa Valley Water District	
Diane Simpson Colebank	Environmental Principal, Logan Simpson Design, Inc.	
Patrick Chan	Environmental Protection Agency, Region 9	

### **Chapter 6. List of Prepares**

**Table 6.1. List of Prepares:** 

Name	Title	Responsible for the Following Section(s) of this Document
Shawna Woods	Realty Specialist	NEPA Creator/ Author
Lisa Christianson	Environmental Protection	Air Quality, Greenhouse Gas
	Specialist	Emissions
Mark Slaughter	Botanist	Botanist, Forest Initiative, Healthy (Cactus/Yucca), Threatened, Endangered or Candidate (Plant Species), Vegetation Excluding Listed Species
Mark Boatwright	Archaeologist	Cultural Resources, Native American Religious Concerns, Paleontology,
Katie Kleinick	Natural Resource Specialist	Fish & Wildlife, Migratory Birds, Threatened, Endangered or Candidate (Animal Species),
Sarah Peterson	Hydrologist	Floodplains, Hydrologic Conditions, Riparian/ Wetlands, Soils, Water Resources/Quality (Drinking/Surface/Ground), Wetlands/Riparian Zones, Wild & Scenic Rivers
George Varhalmi	Geologist	Geology/Mineral Resources/Energy Production,
Nora Caplette	Natural Resource Specialist	Invasive Species/ Noxious Weeds
Kirsten Cannon	Public Affairs Specialist	Public Affairs
Lauren Brown	NRS Restoration Ecologist	Visual Resources
John Evans	Environmental Specialist	Environmental Justice
Krystal Johnson	WH&Burro Specialist	WH&Burro, Farmlands, Livestock
Chris Linehan	Recreation Specialist	Recreation
Sendi Kalcic	Wilderness Planner	Areas with Wilderness Characteristics
Greg Marfil	Fire	Fire Management Specialist
Vanessa Hice	Assistant Field Manager	Division of Lands